

consensus in the local towns” rather than focusing on their legal appeal.³⁸² In an e-mail sent at 3:53 p.m., Skibine agreed to abide by whatever Sibbison and others decided.

Sibbison later told investigators that one reason for her suggestion that the reference to other tribes be omitted was a concern that the decision would be seen as a precedent for tribes with casinos to veto other nearby Indian gaming facilities. Sibbison said she knew that Michael Anderson placed more emphasis on tribal objections. Sibbison stressed that, at least for her, local non-Indian opposition – and not inter-tribal competition – was the main basis for the Hudson denial. To Sibbison, however, the two issues were somewhat blurred in the case of Hudson because the St. Croix tribe was located within fifty miles of the proposed facility, and therefore was considered part of the “local community.” She noted the Checklist did not say how to treat nearby tribes within 50 miles.

At 4:15 p.m. that same day – Friday, June 30 – Sibbison again e-mailed Skibine. She stated that Duffy had not called in with comments, and that she would work with Hart and Hartman to complete the letter during the next week, while Skibine was on vacation.

At 7:04 p.m., Skibine sent a final e-mail to Sibbison, Hart, Hartman, Woodward and Meisner. In it, Skibine disagreed with Sibbison’s position that reference to the opposition of nearby tribes should be omitted. He stated that tribal opposition should be included because “[i]t certainly is a factor” under Section 465 and Part 151 regulations, “and it would strengthen our

³⁸²The letter was drafted for Deer’s signature but noted that, if the letter were signed by BIA Deputy Commissioner Manuel instead, the applicants would have appeal rights within the Department. The only change in a Skibine re-draft of the letter dated June 29, 1995, was the addition of language regarding appeal rights.